

Article - Alcoholic Beverages

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§26–902.

- (a) There is a Class B beer, wine, and liquor license.
- (b) (1) The Board may issue the license for use by a restaurant that:
 - (i) is located in a permanent building with sufficient space and accommodations for preparing, serving, and selling hot meals to the public during the restaurant's hours of operation;
 - (ii) has the minimum sanitary facilities required by the county health department regulations;
 - (iii) meets the minimum health requirements adopted by the county health department regulations;
 - (iv) has a dining area with sufficient tables, chairs, or booths to comfortably seat and accommodate the public;
 - (v) has a kitchen that has complete facilities and utensils for preparing hot and cold meals for the public;
 - (vi) employs a sufficient number of cooks and wait staff to serve the public using the dining area;
 - (vii) maintains and displays a menu that advertises the serving of a variety of hot meals; and
 - (viii) maintains sufficient food on the premises at all times to fill an order made from the menu.
- (2) A drug, candy, or confectionery store is not a restaurant.
- (c) (1) The license authorizes the license holder, at a hotel or restaurant at retail at the place described in the license, to sell beer, wine, and liquor:
 - (i) for on–premises consumption; and
 - (ii) subject to paragraph (2) of this subsection, for off–premises consumption only:

1. from the main bar; and
2. in the main portion of the dining room facilities.

(2) The off-sale privilege set out in paragraph (1)(ii) of this subsection is limited to those license holders who had the privilege on July 1, 1970.

(d) A license holder shall report promptly to the Board when the restaurant operations are interrupted.

(e) If the new licensed establishment meets the standards set out in this section, the Board may:

- (1) issue a new Class B beer, wine, and liquor license;
- (2) approve a transfer of the license by the same license holder to a new location; and
- (3) approve a transfer of the license from one license holder to another at the same or different location.

(f) The annual license fee is \$2,305.

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